## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

DAVID E. YOW, JR.,

Plaintiff, :

vs. : CIVIL ACTION 06-00437-KD-B

MOBILE COUNTY SHERIFF'S

DEPARTMENT, et al.,

:

Defendants.

:

## ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is ADOPTED as the opinion of this court. It is ORDERED that this action be and is hereby DISMISSED without prejudice for failure to prosecute and to obey the Court's order.

**DONE** this  $11^{th}$  day of May, 2007.

/s/ Kristi K. DuBose KRISTI K. DuBOSE UNITED STATES DISTRICT JUDGE